

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO. 1:15-cr-00032-MOC

UNITED STATES OF AMERICA, )  
                                )  
                                )  
                                )  
Vs.                            )  
                                )  
**CARA MICHELLE BANKS,** )  
                                )  
                                )  
Defendant.                  )

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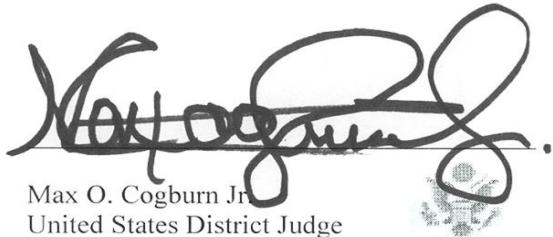
**THIS MATTER** is before the Court on the fourth letter (#40) from defendant asking this court to reduce her sentence or other relief. See Letters (#s 31, 35, & 37). As this Court advised defendant in its Orders (#s 32 & 38), this Court has absolutely no authority to reduce her sentence.

This time, defendant has enclosed a picture of herself and copies of her recently received diploma as well as copies of certificates obtained based on other accomplishments while incarcerated. She further states that "I was told I had to go through education and present my diploma to my sentencing judge for reconsideration." Letter (#40) at 3-4. Defendant has, unfortunately, again received incorrect advice from someone as the law does not allow any court to reduce a sentence based on an incarcerated person's motion regardless of their achievements while in prison. Absent a showing of clear error under Rule 35(a), which has a very limited scope and is inapplicable in this case where the court granted a below-guidelines variance, the *only* methods for modifying or correcting a previously imposed Judgment that has become final are by a government filed motion under Rule 35(b) or a motion sponsored by the Director of the Bureau of Prisons under Section 3582(c).

**ORDER**

**IT IS, THEREFORE, ORDERED** that to the extent defendant seeks relief in her letter (#40), such relief is denied.

Signed: November 21, 2017

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". The signature is fluid and cursive, with a prominent "M" at the beginning and a "J" at the end.

Max O. Cogburn Jr.  
United States District Judge